

holder fail to pay the amount of such call, it shall be lawful for the said Company to sue such shareholder for the amount thereof, in any Court of law or equity having competent jurisdiction, and to recover the same, with lawful interest, from the day on which such call was payable.

9. In any action or suit to be brought by the said Company against any shareholder to recover any money due for any call it shall not be necessary to set forth the special matter, but it shall be sufficient for the said Company to declare that the defendant is the holder of one or more shares in the said Company, (stating the number of shares), and is indebted to the said Company in the sum of money to which the calls in arrear shall amount in respect of one call or more upon one share or more, (stating the number and amount of each of such calls), whereby an action hath accrued to the said Company by virtue of this Act.

10. On the trial or hearing of such action or suit, it shall be sufficient to prove that the defendant, at the time of making such call, was the holder of one or more shares in the said undertaking, and that such call was in fact made, and such notice given, as directed by this Act; and it shall not be necessary to prove the appointment of the Directors who made such call, nor any other matter whatsoever; and thereupon the said Company shall be entitled to recover what shall be due on such call, and interest thereon, with costs, unless it shall appear either that such call exceeds the prescribed amount aforesaid, or that the prescribed interval between two successive calls had not elapsed as aforesaid.

11. The production of the Register of Shareholders shall be *prima facie* evidence of such defendant being a shareholder, and of the number and amount of his shares; and with respect to the provisions in this Act contained for enforcing the payments, the word "shareholder" shall extend to and include the personal representatives of such shareholder.

12. In case any stockholder shall neglect to pay any assessment or call on his share or shares for the space of thirty days from the day appointed for the payment thereof, the Directors may declare the said share or shares forfeited, and order the Treasurer to sell such share or shares at public auction, after giving thirty days notice of such sale in such